



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nelson and Tong

Application No. 10/677,943

Filed: October 1, 2003

Confirmation No. 1005

For: HUMAN GENE CRITICAL TO
FERTILITY

Examiner: Michael E. Szperka

Art Unit: 1653

Attorney Reference No. 4239-64790-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney or Agent
for Applicant(s)

Date Mailed October 18, 2005

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT AND RESPONSE

This Amendment and Response to Restriction Requirement ("Amendment") responds to the non-final Office action dated August 31, 2005. A one-month period of reply was set, making a response due on or before September 30, 2005. This response is filed on or before October 31, 2005. The accompanying transmittal includes a petition for a one month extension of the period for response, for which a fee of \$120.00 is due. A check in the amount of \$120.00 is enclosed. In the event that additional fees are due, the Commissioner is authorized to charge any required fees to the deposit account referenced on the accompanying transmittal letter.

Applicants elect examiner's Group I without traverse. Applicants provisionally elect species D: variant MATER proteins comprising a variant amino acid residue(s) in the ATP-/GTP- binding domain for initial examination on the merits. Applicants expressly reserve the right to have additional species examined when a generic claim is found allowable.

Please amend the referenced application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2.

Remarks begin on page 7.